

RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 30043

Ordinance No. 2023-21

Passed September 18, 20 23

ORDINANCE 2023-21 VILLAGE OF WESTON, WOOD COUNTY, OHIO

ORDINANCE FOR MANAGEMENT OF CAT POPULATION

WHEREAS, the Village of Weston is a statutory village located in Wood County, Ohio, with powers of local self-government pursuant to Ohio Constitution Article XVIII, Section 3, and

WHEREAS, the Village Council has adopted Municipal Regulations, including, but not limited to, chapter 174, and

WHEREAS, the Village Council desires to establish regulations for the management of cat populations within the Village of Weston.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WESTON, WOOD COUNTY, OHIO, THAT:

SECTION 1: MANAGEMENT OF CAT POPULATION

(A) Definitions used in this section:

ANIMAL FEED shall mean any substance or product, including additives, whether processed, partially processed or unprocessed, intended to be used as feed or drink for an animal.

COMMUNITY CAT shall mean a free-roaming cat—without a collar and owner's name, phone number, address—which may or may not be vaccinated for rabies, who may be cared for by one or more residents of the immediate area who is/are known or unknown; a community cat may or may not be feral. Community cats are not wildlife.

COMMUNITY CAT CAREGIVER shall mean a person who, in accordance with and pursuant to a policy of Trap-Neuter/Spay-Return "TNR", provides care, including, food, shelter or medical care to a community cat, while not being considered the owner, harbinger, controller, or keeper of a community cat.

EARTIPPING shall mean the removal of the distal one-quarter of a community cat's left ear, which is approximately $\frac{3}{8}$ - inch, or 1 centimeter, in an adult and proportionally smaller in a kitten. This procedure is performed under sterile conditions while the cat is under anesthesia, in compliance with any applicable federal or state law, and under the supervision of a licensed veterinarian. Eartips are designed to identify a community cat as being sterilized and lawfully vaccinated for rabies.

TRAP-NEUTER/SPAY-RETURN shall mean the process of humanely trapping, sterilizing, vaccinating for rabies, eartipping, and returning community cats to their original location.

(B) Permitted Acts for the Management of Community Cat Populations:

PERMITTED ACTS. The following actions shall be permitted by **Community Cat Caregivers** in the Village of Weston as part of **Trap-Neuter/Spay-Return "TNR"**:

- (a) Assessment to determine the amount of **community cats** in the area.
- (b) Trapping, for the sole purpose of sterilizing, vaccinating for rabies, and **eartipping** community cats, in compliance with any applicable federal or state law, and under the supervision of a licensed veterinarian, where applicable.
 - (i) Trapping is conducted only on private property with the consent of the property owner;
 - (ii) Trapping is done only during daylight hours using edible non-poisonous food to entice the cats into the trap;
 - (iii) The liability of performing a "TNR" is upon solely the Community Cat Caregiver performing the action.
- (c) A person who returns a community cat to its original location while conducting TNR is not deemed to have abandoned the cat per section 959.01 of the Ohio Revised Code, and shall also not be guilty of violating section 174.01 of the Municipal Regulations when the animal feed is left in functional traps and used in conjunction with the TNR.

PROHIBITED ACTS. The following actions shall be prohibited in the Village of Weston:

- (a) Prohibits leaving **animal feed** outside in open areas or in enclosed areas such as, but not limited to, open garages, car ports, tool sheds, lean-tos, under open porches, or in the

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right-of-way for pets, strays and wild animals. However, food may be left out during daylight hours, provided that the feeding area must be removed and cleaned each day.

PENALTY.

Whoever violates this section shall be guilty of a minor misdemeanor.

SECTION 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any other committees that results in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Date: 9/18/23

Vote on Measure: 6 Yeas 0 Nays 0 Abstentions

David D. [Signature]
President of Council

[Signature]
Mayor

ATTEST:

[Signature]
Fiscal Officer

CERTIFICATION

I HEREBY CERTIFY THIS TO BE A TRUE AND ACCURATE COPY OF THE VILLAGE OF WESTON ORDINANCE NUMBER 2023-21, AND THAT THERE IS NO NEWSPAPER PUBLISHED IN THE VILLAGE OF WESTON, AND THAT PUBLICATION OF THIS ORDINANCE WAS MADE BY POSTING IT AT THE FIVE PUBLIC PLACES DESIGNATED BY ORDINANCE 2023-1 ON 9/19/23.

[Signature]
CLERK, VILLAGE OF WESTON